

DEPARTMENT OF INSURANCE
STATE OF NEBRASKA
941 "O" STREET, SUITE 400
LINCOLN, NE 68508-3639

**PROCEDURE AND REQUIREMENTS FOR OBTAINING
AN INSURANCE BUSINESS ENTITY LICENSE**

PROCEDURE

To obtain an insurance agency license the NAIC Uniform Business Entity Application must be completed and submitted to the Department of Insurance together with the appropriate fee.

PRODUCER LICENSE REQUIRED

Each designated producer and any individual associated with a licensed agency that sells, solicits or negotiates insurance must be licensed as a producer.

BUSINESS ENTITY DEFINITION §44-4048(1)

Business Entity means a corporation, association, partnership, limited liability company, limited liability partnership, or other legal entity.

BUSINESS ENTITY LICENSE §44-4053(2)(b)

A business entity acting as an insurance producer is required to obtain an insurance producer license. Application shall be made using the uniform business entity application. Before approving the application, the director shall find that:

- (b) The business entity has designated a licensed producer responsible for the business entity's compliance with the insurance laws, rules, and regulations of this state.

If the designated producer loses his or her producer license or leaves or is removed from such position the agency shall replace the designated producer with a duly licensed producer within 30 days or its license shall be revoked.

NOTE: Sole proprietorships are required to obtain an insurance agency license if the sole proprietorship falls within the business entity definition above or the sole proprietorship holds himself, herself or itself out to be an insurance agency.

DISCIPLINARY ACTIONS; ADMINISTRATIVE FINE; PROCEDURE §44-4059(3)

The license of a business entity may be suspended, revoked, or refused if the director finds after notice and hearing, that an individual licensee's violation was known or should have been known by one or more of the partners, officers, or managers acting on behalf of the business entity and the violation was neither reported to the director nor corrective action taken.

CONDUCT OF EXAMINATIONS; RECORD RETENTION REQUIREMENTS §44-5905(b)(i)(A)

Every company or person subject to the Insurers Examination Act shall retain all books, records, accounts, papers, documents, and computer or other recordings relating to the property, assets, financial accounts, and business of such company or person in a manner that permits examination of such books, records, accounts, papers, documents, and computer or other recordings for four years, or until the period of time in which the transaction took place has undergone a financial examination by the director, whichever is later, following the completion of a transaction relating to the property, assets, financial account, and business of such company or person.

LICENSE; LINES OF AUTHORITY; RENEWAL; PROCEDURE; LICENSEE; DUTIES; DIRECTOR; POWERS §44-4054(3)

All business entity licenses issued under the Insurance Producer Licensing Act shall expire on April 30 of each year.

Renewal forms and instructions are mailed to the agency approximately 90 days prior to the expiration date of the license.

FEES

When submitting the initial application for a business entity license, remit the amount indicated below:

| | |
|---|---------|
| May 1 – October 31 | \$50.00 |
| November 1 – January 31 | \$25.00 |
| February 1 – April 30 (Initial and Renewal Fee) | \$75.00 |
| Change of Business Entity Name | \$5.00 |
| Duplicate Copy of License | \$5.00 |

License Fees are subject to change.

Please note the application may be revised on a semi-annual basis. To ensure you are filing the current version of the application and that the application is complete, please reference the National Insurance Producer Registry web site at www.licenseproducer.com.

Uniform Application for Business Entity Insurance License/Registration (Please Print or Type)

Check appropriate box for license requested.

- ☐ Resident License
- ☐ Non-Resident License
 - Identify Home State: _____
 - Identify Home State License #: _____

| | | | | | |
|---|--|--------------------------------|---|-------------|---------------------------|
| ① Business Entity Name | | ② Incorporation/Formation Date | | ③ FEIN - | |
| ④ If assigned, National Producer Number (NP#) | | | ⑤ If applicable, NASD Firm Central Registration Depository (CRD) Number | | |
| ⑥ List any other assumed, fictitious, alias or trade names under which you are doing business or intend to do business. | | | ⑦ State of Domicile | | ⑧ Country of Domicile |
| ⑨ Is the business entity affiliated with a financial institution/bank? Yes <input type="checkbox"/> No <input type="checkbox"/> | | | | | |
| ⑩ Business Address | | ⑪ City | ⑫ State | ⑬ Zip Code | ⑭ Foreign Country |
| ⑮ Phone Number () - | | ⑯ Fax Number () - | ⑰ Business Web Site Address | | ⑱ Business E-Mail Address |
| ⑲ Mailing Address | | ⑳ P.O. Box | ㉑ City | ㉒ State | ㉓ Zip Code |
| ㉔ Foreign Country | | | | | |

㉕ Identify at least one Designated/Responsible Licensed Producer: *(See Matrix of State Requirements at www.licenseproducer.com for jurisdictions that require the designated/responsible licensed producer to be an officer, director or partner of the business entity.)*

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|------------|-----------|---|---|--|
| Name _____ | SSN _____ | - | - | |
| Name _____ | SSN _____ | - | - | |
| Name _____ | SSN _____ | - | - | |
| Name _____ | SSN _____ | - | - | |

Owners, Partners, Officers and Directors

㉖ Identify all owners with 10% interest or voting interest, partners, officers and directors of the business entity:

| | | | | | |
|------------|-------------|----------------|---|---|-----------------|
| Name _____ | Title _____ | SSN/FEIN _____ | - | - | Owner: Yes / No |
| Name _____ | Title _____ | SSN/FEIN _____ | - | - | Owner: Yes / No |
| Name _____ | Title _____ | SSN/FEIN _____ | - | - | Owner: Yes / No |
| Name _____ | Title _____ | SSN/FEIN _____ | - | - | Owner: Yes / No |
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| Name _____ | Title _____ | SSN/FEIN _____ | - | - | Owner: Yes / No |
| Name _____ | Title _____ | SSN/FEIN _____ | - | - | Owner: Yes / No |
| Name _____ | Title _____ | SSN/FEIN _____ | - | - | Owner: Yes / No |

(State Use)

Please note the application may be revised on a semi-annual basis. To ensure you are filing the current version of the application and that the application is complete, please reference the National Insurance Producer Registry web site at www.licenseproducer.com.

| Jurisdiction and Type of License/Registration Requested –Major Lines of Authority | | | | | | | | | | | | | | | | |
|---|---------------------|------------------------------------|---|-----------------|-----|-----------------------------------|---|---------------------------------|-----|-------------------------------------|--------------------|---------------------|---|---|---|----|
| (27) Next to each jurisdiction, check the legal business type, license/registration type(s) and line(s) of authority for which you are applying. | | | | | | | | | | | | | | | | |
| Legal Business Type: | | C – Corporation | | P – Partnership | | S – Sole Proprietorship | | LLC – Limited Liability Company | | LLP – Limited Liability Partnership | | | | | | |
| License/Registration Types: | | A – Agent | | B – Broker | | P – Producer | | SLP – Surplus Lines Producer | | Y – Business Entity | | | | | | |
| Lines of Authority: | | V – Variable Life/Variable Annuity | | L – Life | | H – Accident & Health or Sickness | | P – Property | | C – Casualty | | PL – Personal Lines | | | | |
| Jurisdiction | Legal Business Type | | | | | License/Registration Type | | | | | Lines of Authority | | | | | |
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Jurisdiction and Type of License/Registration - Limited Lines of Authority

28) Next to each jurisdiction, check the legal business type, license/registration type(s) and line(s) of authority for which you are applying.

Legal Business Type: C – Corporation P – Partnership S – Sole Proprietorship LLC – Limited Liability Company LLP – Limited Liability Partnership

License/Registration Types : A – Agent B – Broker P – Producer SLP – Surplus Lines Producer Y – Business Entity

Limited Lines: Credit – Credit CR – Car Rental CROP – Crop T – Travel S – Surety O – Other

| Jurisdiction | Legal Business Type | | | | | License/Registration Type | | | | | Lines of Authority | | | | | |
|--------------|---------------------|---|---|-----|-----|---------------------------|---|---|-----|---|--------------------|----|------|---|---|--------|
| | C | P | S | LLC | LLP | A | B | P | SLP | Y | Credit | CR | Crop | T | S | O_____ |
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Please note the application may be revised on a semi-annual basis. To ensure you are filing the current version of the application and that the application is complete, please reference the National Insurance Producer Registry web site at www.licenseproducer.com.

Background Information

29 Please read the following very carefully and answer every question. All copies of documents must be certified. All written statements submitted by the Applicant must include an original signature.

1. Has the business entity or any owner, partner, officer or director ever been convicted of, or is the business entity or any owner, partner, officer or director currently charged with, committing a crime, whether or not adjudication was withheld? Yes ___ No ___

"Crime" includes a misdemeanor, felony or a military offense. You may exclude misdemeanor traffic citations and juvenile offenses. "Convicted" includes, but is not limited to, having been found guilty by verdict of a judge or jury, having entered a plea of guilty or nolo contendere, or having been given probation, a suspended sentence or a fine.

If you answer yes, you must attach to this application:

- a) a written statement explaining the circumstances of each incident,
- b) a certified copy of the charging document, and
- c) a certified copy of the official document which demonstrates the resolution of the charges or any final judgment

2. Has the business entity or any owner, partner, officer or director ever been involved in an administrative proceeding regarding any professional or occupational license? Yes ___ No ___

"Involved" means having a license censured, suspended, revoked, canceled, terminated; or, being assessed a fine, placed on probation or surrendering a license to resolve an administrative action. "Involved" also means being named as a party to an administrative or arbitration proceeding which is related to a professional or occupational license. "Involved" also means having a license application denied or the act of withdrawing an application to avoid a denial. You may exclude terminations due solely to noncompliance with continuing education requirements or failure to pay a renewal fee.

If you answer yes, you must attach to this application:

- a) a written statement identifying the type of license and explaining the circumstances of each incident,
- b) a certified copy of the Notice of Hearing or other document that states the charges and allegations, and
- c) a certified copy of the official document which demonstrates the resolution of the charges or any final judgment.

3. Has any demand been made or judgment rendered against the business entity or any owner, partner, officer or director for overdue monies by an insurer, insured or producer, or have you ever been subject to a bankruptcy proceeding? Yes ___ No ___

If you answer yes, submit a statement summarizing the details of the indebtedness and arrangements for repayment.

4. Has the business entity or any owner, partner, officer or director ever been notified by any jurisdiction to which you are applying of any delinquent tax obligation that is not the subject of a repayment agreement? Yes ___ No ___

If you answer yes, identify the jurisdiction(s): _____

5. Is the business entity or any owner, partner, officer or director a party to, or ever been found liable in any lawsuit or arbitration proceeding involving allegations of fraud, misappropriation or conversion of funds, misrepresentation or breach of fiduciary duty? Yes ___ No ___

If you answer yes, you must attach to this application:

- a) a written statement summarizing the details of each incident,
- b) a certified copy of the Petition, Complaint or other document that commenced the lawsuit or arbitration, and
- c) a certified copy of the official document which demonstrates the resolution of the charges or any final judgment.

6. Has the business entity or any owner, partner, officer or director ever had an insurance agency contract or any other business relationship with an insurance company terminated for any alleged misconduct? Yes ___ No ___

If you answer yes, you must attach to this application:

- a) a written statement summarizing the details of each incident and explaining why you feel this incident should not prevent you from receiving an insurance license, and
- b) certified copies of all relevant documents.

Applicants Certification and Attestation

30 The undersigned owner, partner, officer or director of the business entity hereby certifies, under penalty of perjury, that:

1. All of the information submitted in this application and attachments is true and complete and I am aware that submitting false information or omitting pertinent or material information in connection with this application is grounds for license or registration revocation and may subject me and the business entity to civil or criminal penalties.
2. Where required by law, the business entity hereby designates the Commissioner, Director or Superintendent of Insurance, or an appropriate representative in each jurisdiction for which this application is made to be its agent for service of process regarding all insurance matters in the respective jurisdiction and agree that service upon the Commissioner or Director of that jurisdiction is of the same legal force and validity as personal service upon the business entity.
3. The business entity grants permission to the Commissioner or Director of Insurance in each jurisdiction for which this application is made to verify any information supplied with any federal, state or local government agency, current or former employer or insurance company.
4. Every owner, partner, officer or director of the business entity either a) does not have a current child-support obligation, or b) has a child-support obligation and is currently in compliance with that obligation.
5. I authorize the jurisdictions to give any information they may have concerning me to any federal, state or municipal agency, or any other organization and I release the jurisdictions and any person acting on their behalf from any and all liability of whatever nature by reason of furnishing such information.
6. I acknowledge that I understand and comply with the insurance laws and regulations of the jurisdictions to which I am applying for licensure/registration.
7. If required, I have received a Certificate of Good Standing from the jurisdiction's Secretary of State in which I am applying.
8. For Non-Resident License Applications, I certify that I am licensed and in good standing in my home state/resident state for the lines of authority requested from the non-resident state.

Attachments

31 The following attachments must accompany the application otherwise the application may be returned unprocessed or considered deficient.

1. For Non-Resident License Applications and unless otherwise noted in the State Matrix of Business Rules, a state will rely on an electronic verification of an applicant's resident license through the NAIC's Producer Database in lieu of requiring an original Letter of Certification from the resident state.
2. Any jurisdiction specific attachments listed in the State Matrix of Business Rules (www.licenseregistry.com).

**Must be signed by an officer, director, principal
or partner of the business entity:**

Month Day Year

Signature

Typed or Printed Name

Title

Social Security Number

Address

City State Zip

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